

Memorandum

To : ALL STANDARDS BOARD MEMBERS

Date : June 1, 2010

From : Occupational Safety and Health Standards Board
Conrad E. Tolson, Senior Engineer - Standards

Subject: Container-Handling Rubber-Tired Gantry Cranes, General Industry Safety Orders, Sections 4906(c) and Proposed New Section 4906.1.

An advisory committee¹ was convened in Sacramento on May 4, 2010, to consider proposed amendments to the General Industry Safety Orders in response to a petition². However, the committee was unable to reach consensus on the necessity for modifications or new standards regarding container-handling rubber-tired gantry cranes. Issues identified by the committee included the following:

- Only one serious accident has occurred in the 15 years since Section 4906(c) was last changed. Taken in the context of the volume of containers handled at marine terminals, this does not support necessity for changing the standards.
- Title 8 standards must be reasonable, enforceable and contribute to worker safety. The proposal to reinstate a pre-1995 performance standard for wheel guards would require the installation of a wheel-guarding device that has not been beta (field) tested and that is not yet available in the marketplace, thus exposing employers and manufacturers to citations and litigation without any proven improvement in worker safety.
- In the 15 years since the standard was last changed, employers and organized labor have developed and implemented voluntary safety standards and procedures which, based on accident statistics, appear to be effective in providing safe working conditions for employees.
- Technological developments such as GPS and RFID container tracking systems have reduced employee exposure to hazards.
- Concerns that wheel guards could adversely affect/interfere with RTG operating characteristics, particularly in rail yards.
- Other vehicles with large, unprotected, wheels, such as top handlers operate at marine terminals, yet only RTG's were proposed to be protected.

Consequently, unless otherwise directed by the Board, staff proposes to terminate this rulemaking action.

¹ Invited: Management 5, Manufacturers 4, Labor 4, Interested parties 2, Government 2, and Petitioner

Attended: Management 11, Manufacturers 3, Labor 4, Interested parties 3, Government 3, and Petitioner

² OSHSB Petition File No. 495 from Mr. Richard Grossman, Product Safety Engineering, adopted September 20, 2007.